IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CIVIL WRIT PETITION NO. 16672 OF 2005

DATE OF DECISION: OCTOBER 26, 2006

Parties Name

Tejinder Singh and others

..PETITIONERS

VERSUS

State of Punjab and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASBIR SINGH
HON'BLE MR. JUSTICE PRITAM PAL

PRESENT: Mr. S.P.Jain, Sr. Adv., with Mr. Dheeraj Jain, Advocate, for the petitioners.

Mr. P.S. Chhina, Addl. A.G., Punjab;

Mr. Anish Setia, Advocate, for respondent No. 2.

Mr. R.S.Sihota, Advocate, for respondents No. 3 to 5.

JASBIR SINGH, J. (oral)

Order.

In this writ petition, election to the posts of President, Senior Vice President and Vice President, which was conducted on October 5, 2005, have been challenged.

At the out set, Shri Jain very fairly states that he is not pressing this writ petition, so far as election to the post of President is concerned and also vires of the Punjab Municipal(President and Vice-President) Election Rules, 1994. He has pressed his arguments only against the election of Senior Vice President and Vice President. Shri Setia has informed this Court that term of the posts of Senior Vice-President and Vice President of

the Nagar Panchayat, Raja Sansi, is only for a period of one year and that term is over. In view of this, we do not feel any necessity to pass any order on merits in this petition and the same is disposed of by issuing directions to respondent No. 2 to conduct election for the posts of Senior Vice President and Vice President, if not conducted earlier, strictly in accordance with the provisions of Rule 5 of the Punjab Municipal (President and Vice President) Election Rules, 1994 and also keeping in view ratio of the judgment in Sat Pal and others v. State of Punjab and others, 2005(2) P.L.R. 576: 2005(3) R.C.R. (Civil) 178.

(Jasbir Singh)
Judge

(Pritam Pal)
Judge

October 26, 2006.